

Af/2828
J.H. Fischer 41

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Applicant(s): Jonathan H. Fischer
Case: 41
Serial No.: 10/002,028
Filing Date: November 15, 2001
Group: 2828
Examiner: Leith A. Al-Nazer

I hereby certify that this paper is being deposited on this date with the U.S. Postal Service as first class mail addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature: *J. Benenisek* Date: February 19, 2004

Title: Optical Source Driver with Improved Input Stage

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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MAR 01 2004

Sir:

Submitted herewith are the following documents relating to the above-identified patent application:

- (1) Response to Office Action; and
- (2) Notice of Appeal.

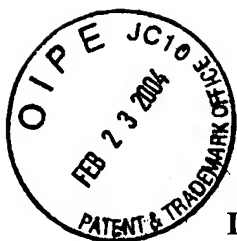
In the event of non-payment or improper payment of a required fee, the Commissioner is authorized to charge or to credit **Ryan, Mason & Lewis, LLP Deposit Account No. 50-0762** as required to correct the error. A duplicate copy of the Notice of Appeal is enclosed.

Respectfully submitted,

Joseph B. Ryan

Date: February 19, 2004

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Signature: V. Benicewski Date: February 19, 2004

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RESPONSE TO OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

The following remarks are submitted in response to the fourth non-final Office Action dated November 19, 2003, in the above-identified application. A Notice of Appeal is submitted concurrently herewith.

REMARKS

The present application was filed on November 15, 2001 with claims 1-18. Claims 1-18 are currently pending. Claims 1, 8, 15 and 16 are the independent claims.

Claims 1-18 stand rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

In this response, Applicant traverses the §112 rejection. Applicant respectfully requests reconsideration of the present application in view of the following remarks.

The Examiner in formulating the §112 rejection objects to the use of the terms "adapted to establish," "configured to include," and "being implemented" as used in one or more of independent